

DECLARATION
AND POWER OF ATTORNEY
(Sole or Joint)

ATTORNEY'S DOCKET NO. _____

As a below named inventor, I declare that I believe I am the original, first and sole inventor if only one name is listed at Item 201 below, or a joint inventor if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY, CONJUGATES CONTAINING THEM AND THERAPEUTIC METHOD FOR TREATMENT OF ANGIOGENESIS which is described and claimed in:

☒ the attached specification ☐ the specification in application Serial No. _____, filed _____
(for declaration not accompanying application papers)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. §1.56(a).

I hereby claim the benefit of priority, under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

I hereby claim the benefit, under Title 35, United States Code, §120, of any U.S. application(s) listed below. If this application is a continuation in part, insofar as the subject matter of any of the claims thereof is not disclosed in the prior U.S. application(s) identified below in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior U.S. application(s) identified in Item 105 below and the national or PCT international filing date of this application.

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 (6 if a Design) MONTHS PRIOR TO THE FILING DATE OF THIS			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
U.S.A.	09/075,338	11th May 1998	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
U.S.A.	09/300,425	28th April 1999	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 (6 if a Design) MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

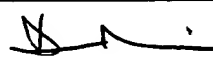
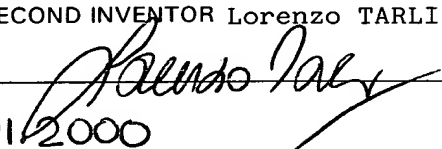

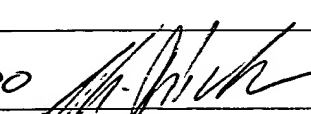
I. William Millen (19,544); John L. White (17,746); Antony J. Zelano (27,969); Alan E.J. Branigan (20,565); John R. Moses (24,983); Harry B. Shubin (32,004); Brion P. Heaney (32,542); Richard J. Traverso (30,595); John A. Sopp (33,103); Richard M. Lebovitz (37,067); John H. Thomas (33,460); Cathrine Joyce (40,668); Nancy Axelrod (P-44,104) and Jay T. Moore (35,619)

SEND CORRESPONDENCE TO: MILLEN, WHITE, ZELANO & BRANIGAN P.C. Arlington Courthouse Plaza 1, Suite 1400 220 Clarendon Blvd. ARLINGTON, VA 22201	Telephone (703) 243 6333 Telefax (703) 243 6410
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Inventor(s) name must include at least one unabbreviated first or middle name.

FULL NAME OF INVENTOR	LAST NAME	FIRST NAME		MIDDLE NAME
	NERI	Dario		
	CITY OR OTHER LOCATION	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
RESIDENCE & CITIZENSHIP	Zürich	Switzerland		Italy
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	Imbisbühlsteig 22	Zürich	Switzerland	8049
FULL NAME OF INVENTOR	LAST NAME	FIRST NAME		MIDDLE NAME
	TARLI	Lorenzo		
	CITY OR OTHER LOCATION	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
RESIDENCE & CITIZENSHIP	Monteriggioni	Italy		Italy
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	Via Abbadia 20	Monteriggioni	Italy	53035
FULL NAME OF INVENTOR	LAST NAME	FIRST NAME		MIDDLE NAME
	VITI	Francesca		
	CITY OR OTHER LOCATION	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
RESIDENCE & CITIZENSHIP	Genova	Italy		Italy
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	Via Battaglini 16	Genova	Italy	16151
FULL NAME OF INVENTOR	LAST NAME	FIRST NAME		MIDDLE NAME
	BIRCHLER	Manfred		
	CITY OR OTHER LOCATION	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
RESIDENCE & CITIZENSHIP	Zürich	Switzerland		Switzerland
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
	Anwandstrasse 66	Zürich	Switzerland	8004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF FIRST INVENTOR Dario NERI	SIGNATURE OF SECOND INVENTOR Lorenzo TARLI
DATE 6 JANUARY 2000 	DATE 12.01.2000 
SIGNATURE OF THIRD INVENTOR Francesca VITI	SIGNATURE OF FOURTH INVENTOR Manfred BIRCHLER
DATE 12/01/00 Francesca Viti 	DATE 6. Jan. 2000 

Applicant or Patentee: Dario NERI et al

Attorney's

Packet No.: 1900 PTUS
@P2

Serial or Patent No.: _____

Filed or Issued: _____

For: SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY, CONJUGATES CONTAINING THEM

AND THERAPEUTICAL METHOD FOR TREATMENT OF ANGIOGENESIS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

(37 CFR 1.9(f) and 1.27(c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

☐ () the owner of the small business concern identified below:

☒ (X) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN PHILOGEN S.r.l.

ADDRESS OF CONCERN Via Roma 22 - 53100 SIENA - ITALY

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY, CONJUGATES CONTAINING THEM AND ... by inventor(s)

Dario NERI, Lorenzo TARLI, Francesca VITI and Manfred BIRCHLER

described in

☒ (X) the specification filed herewith

☐ () application serial no. _____, filed _____

☐ () patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME EIDGENÖSSISCHE TECHNISCHE HOCHSCHULE ZÜRICH

ADDRESS Rämistrasse 101 - CH-8092 ZÜRICH (Switzerland)

☐ () INDIVIDUAL ☐ () SMALL BUSINESS CONCERN ☒ (X) NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ () INDIVIDUAL ☐ () SMALL BUSINESS CONCERN ☐ () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Duccio NERI

TITLE OF PERSON OTHER THAN OWNER Sole Director

ADDRESS OF PERSON SIGNING Via delle Cantine 15 - 53100 SIENA - ITALY

SIGNATURE Duccio Neri DATE 4th February 2000

Applicant or Patentee: Dario NERI, Lorenzo TARLI, Francesca VITI and Manfred BIRCHLER

Attorney's
Firm No.:

Serial or Patent No. _____

Filed or Issued: _____

For SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY, CONJUGATES CONTAINING THEM
AND THERAPEUTICAL METHOD FOR TREATMENT OF ANGIOGENESIS
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) — NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION EDGENÖSSISCHE TECHNISCHE HOCHSCHULE ZÜRICH
ADDRESS OF ORGANIZATION Rämistrasse 101 - CH-8092 ZÜRICH (Switzerland)

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 4.1(a) or (b) of Title 35, United States Code with regard to the invention entitled SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY...
by inventor(s) Dario NERI, Lorenzo TARLI, Francesca NERI and Manfred BIRCHLER
described in

- ☒ the specification filed herewith _____, filed _____
☐ application serial no. _____, issued _____
☐ patent no. _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention
If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

NAME PHILOGEN S.r.l.

ADDRESS Viale Roma 22 - 53100 SIENA - ITALY

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.
(37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed

NAME OF PERSON SIGNING Ulrich STEINER

TITLE IN ORGANIZATION EDGENÖSSISCHE TECHNISCHE HOCHSCHULE ZÜRICH Proctor for the Research and Industrial

ADDRESS OF PERSON SIGNING Rämistrasse 101, CH-8092 Zurich Liasons

SIGNATURE Ulrich Steiner DATE 10.2.2000
ET: Transfer
Rämistrasse 101
CH-8092 Zurich